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Atty. Dkt. No. 071949-4102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BUECHLER et al.

Title: METHODS FOR MONITORING
THE STATUS OF ASSAYS AND
IMMUNOASSAYS

Appl. No.: 09/712,615

Filing Date: 11/13/2000

Examiner: Lisa V. Cook

Art Unit: 1641

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.</p> <p align="center"><u>Germaine Sarda</u> (Printed Name)</p> <p align="center"><u><i>Germaine Sarda</i></u> (Signature)</p> <p align="center"><u>February 12, 2004</u> (Date of Deposit)</p>
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AMENDMENT TRANSMITTAL

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FEB 20 2004

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith are the following:

- ☒ [X] Response to Office Action (20 pages).
- ☒ [X] Request for Entry of Amended Drawing (2 pages).
- ☒ [X] Formal Drawing (1 sheet, Figure 19).
- ☒ [X] Return postcard.
- ☒ [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date February 11, 2004

By Barry S. Wilson

FOLEY & LARDNER

Customer Number: 30542

Telephone: (858) 847-6722

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Barry S. Wilson

Attorney for Applicant

Registration No. 39,431



Attorney docket no. 071949-4102
Patent

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REQUEST FOR ENTRY OF AMENDED DRAWING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

In the Office Action mailed on November 19, 2003 ("Paper No. 24"), the Examiner requested submission of a drawing exhibiting the features of the claimed invention. In response to that request, Applicants submit the attached drawing in draft form for consideration by the examiner. Should the drawing be approved by the Examiner, Applicants will formally request entry of the drawing into the specification.

In conjunction with the enclosed drawing, Applicants propose the following amendments to the specification, just prior to the line "DETAILED DESCRIPTION OF THE INVENTION" at page 31, line 11:

-- Figure 19 shows, in schematic form, an exemplary apparatus for measuring the progress and time of completion of an assay for an analyte. Reaction chamber 1901 is fluidly connected (as shown by arrow 1902) to diagnostic lane 1904, which comprises at least one assay zone 1903, and at least one timing zone 1906 separate from the assay zone. Optical component

1907 is configured to detect an optical signal (as shown by arrow 1905) generated from the timing zone and generate an electronic signal (as shown by arrow 1908) in response. A signal processor 1909 receives the electronic signal and determines the progress and time of completion of the assay. --

Applicants respectfully request that the Examiner indicate acceptance of the draft drawing and proposed text.

Respectfully submitted,

Date February 11, 2004

By Barry Wilson

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